

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES S. GORDON, JR., an
individual,

Plaintiff,

v.

ASCENTIVE, LLC, a Delaware
Limited Liability Company,

Defendant.

No. CV-05-5079-FVS

ORDER

The Court, being fully advised, now therefore,

IT IS HEREBY ORDERED that Defendant's Motion to Strike First Motion to Dismiss Portions of Plaintiff's First Amended Complaint (Ct. Rec. 93) is **GRANTED**. Defendant's Motion to Dismiss Portions of Plaintiff's First Amended Complaint (Ct. Rec. 90) is **STRICKEN**.

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this Order and furnish copies to counsel.

DATED this 24th day of May, 2006.

s/ Fred Van Sickle
Fred Van Sickle
United States District Judge